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OFFICE OF PETITIONS

In re Application of :
Modani et al. : DECISION GRANTING
Application No. 09/782,934 : PETITION
Filed: 13 February, 2001 :
Att'y Dkt No. JP920000227US1 :

This is a decision on the petition filed on 12 June, 2002, under 37 CFR 1.10(c) requesting that the above-identified application be accorded a filing date of 13 February, 2001, rather than the presently accorded filing date of 15 February, 2001.

Petitioner alleges that the application was deposited in Express Mail service on 13 February, 2001. In support, the petition is accompanied by a copy of Express Mail Label No. EL493856045US (the same Express Mail number found on the transmittal letter accompanying the original application papers located in the official file). Although the "date-in" on the Express Mail label is illegible, a search of the USPTO's USPS Express Mail Information Database reveals that this Express Mail Label No. was accepted by the USPS on 13 February, 2001.

In view of the above, the petition is granted. The petition fee of \$130.00 is unnecessary and will be credited to counsel's deposit account, No. 09-0441.

Receipt of the Change of Correspondence Address filed on 6 August, 2002, is acknowledged.

The application is being returned to the Office of Initial Patent Examination (OIPE) for correction of the filing date to 13 February, 2001, and for issuance of a corrected Filing Receipt.

Telephone inquiries specific to this matter should be directed to the undersigned at (703) 308-6918.

Douglas I. Wood
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Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy